



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,097	12/22/2000	Craig Mazzagatte	36J.P240	1502
5514	7590	05/23/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			JUNG, DAVID YIUK	
			ART UNIT	PAPER NUMBER
			2134	
DATE MAILED: 05/23/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,097

Applicant(s)

MAZZAGATTE ET AL.

Examiner

David Y. Jung

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-137 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-137 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

CLAIMS PRESENTED

Claims 1-137 are presented.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

CLAIM REJECTIONS

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 7, 8 to 10, 14, 17, 20 to 22, 26, 29, 32 to 35, 39, 43, 49 to 51, 54, 59, 65 to 67, 70, 74, 80 to 82, 85, 90, 96 to 98, 101, 105, 111 to 113, 116, 121, 127 to 129 and 135 to 137 are rejected by Davis (relied in the previous Office Action) and Yoshimoto (cited by Applicant, Japan Patent Publication number 2000-305725).

Claims 2, 3, 6, 15, 16, 19, 27, 28, 31, 40 to 42, 44 to 46, 56 to 58, 60 to 62, 71 to 73, 75 to 77, 87 to 89, 91 to 93, 102 to 104, 106 to 108, 117 to 120, 122 to 124 and 132

Art Unit: 2134

to 134 are rejected under 34 U.S.C.103(a) over Davis in view of U.S. Patent No. 6,757,741 (Hertling) and Yoshimoto.

Claims 5, 13, 18, 25, 30, 38, 55, 86 and 117 are rejected under j 103(a) over Davis in view of Hertling and further in view of U.S. Patent No. 6,337,745 (Aiello).

Claims 11, 12, 23, 24, 36, 37, 47, 48, 52, 53, 63, 64, 68, 69, 78, 79, 83, 84, 94, 95, 99, 100, 109, 110, 114, 115, 125, 126, 130 and 131 are rejected under j 103(a) over Davis in view of Hertling and Aiello and further in view of U.S. Patent No. 6,581,092 (Motoyama) and Yoshimoto.

Regarding claim 1, Davis (as Applicant himself seems to note in the Remarks section of the Request for Reconsideration section of 112/24/05) teaches all but "providing the recipient exclusive control of the printing device's print capabilities after the recipient has been authenticated."

Yoshimoto teaches such "providing the recipient exclusive control of the printing device's print capabilities after the recipient has been authenticated (print managing part 14)" for the motivation of permitting the change of order of printing processing (Abstract).

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine Davis and Yoshimoto for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Art Unit: 2134

Regarding claims 2-137, these claims are rejected because of the reasons noted in the previous Office Action and because of Yoshimoto teaching as noted in the previous paragraphs.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

Art Unit: 2134

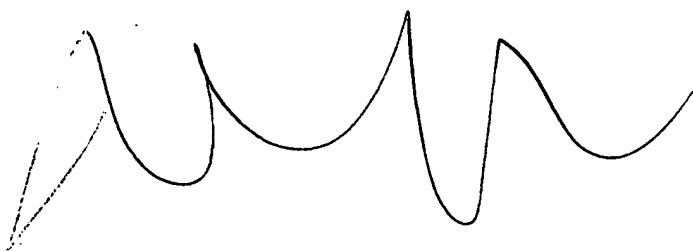
(703) 746-5606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Greg Morse whose telephone number is (571) 272-3838.

David Jung

Patent Examiner

5/17/05

A handwritten signature in black ink, consisting of a series of connected loops and peaks, starting from the 'Patent Examiner' line and extending to the right.